

**APR 19 2006**

**NOT FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**

**CATHY A. CATTERSON, CLERK**  
**U.S. COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

YOLANDA LOPEZ,

Defendant - Appellant.

No. 05-50544

D.C. No. CR-04-02553-NAJ

**MEMORANDUM\***

Appeal from the United States District Court  
for the Southern District of California  
Napoleon A. Jones, Jr., District Judge, Presiding

Submitted April 6, 2006\*\*  
Pasadena, California

Before: PREGERSON, LEAVY, Circuit Judges, and BEISTLINE,\*\* District Judge.

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as may be provided by Ninth Circuit Rule 36-3.

\*\* This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

\*\*\* The Honorable Ralph R. Beistline, United States District Judge for the District of Alaska, sitting by designation.

The facts of this case are known to the parties.

We conclude, and the Government concedes, that portions of the case agent's testimony violated Lopez's Sixth Amendment rights to confrontation and cross-examination. However, given the overwhelming independent evidence of Lopez's guilt, including her detailed videotaped admissions which were played to the jury, we find that the error was harmless. *See United States v. Allen*, 425 F.3d 1231, 1235 (9th Cir. 2005) ("Confrontation Clause violations are . . . subject to harmless error analysis.").

**AFFIRMED.**